



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/729,314	12/05/2003	Jeffrey D. Gatt		1364

7590 01/09/2007
SIMON, GALASSO & FRANTZ PLC.
P.O. Box 26503
Austin, TX 78755-0503

EXAMINER

HOSSAIN, TANIM M

ART UNIT	PAPER NUMBER
----------	--------------

2145

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/09/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/729,314	Applicant(s) GATT, JEFFREY D.	
	Examiner Tanim Hossain	Art Unit 2145	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>5/17/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

Claims 2 and 16 are objected to because of the following informalities: “at last” in claim 2 and “inputted though” in claim 16 appear to be typographical errors. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1-40 are rejected under 35 U.S.C. 102(a) as being anticipated by Realgm.com’s fan forum.

As per claim 1, Realgm.com teaches a computer-implemented method for facilitating group management functionality, comprising: receiving information associated with a group of members participating in a group activity and with the group activity participated in by said members (page 1, where the group activity is a basketball discussion); and creating a website structure instantiation including content comprising at least a portion of said information (where the instantiation of a discussion thread comprises said information).

As per claim 2, Realgm.com further teaches that creating the website structure instantiation includes populating a website template instantiation with at least a portion of said information (where the ability to add new topics constitutes populating).

As per claim 3, Realgm.com further teaches that creating the website structure instantiation includes: creating a first access level through which content selection functionality for other access levels and activity publication creation functionality are exclusively accessible (pages 1, 3, and 4, where the moderators have special administrative privileges, like locking discussions or banning users); creating a second access level including a plurality of respective content fields, wherein a first portion of said content fields of the second access level is system-defined and a second portion of said content fields of the second access level is specified through the first access level (where registered users are allowed to post content within the framework of the system); and creating a third access level including publicly accessible content inputted through at least one of the first access level and the second access level (page 1, where unregistered users are allowed to browse content).

As per claim 4, Realgm.com further teaches that the website structure instantiation includes multiple levels of access; a first level of said access consists of access limited by a group administrator passcode (where there exists moderator access by their respective passwords); a second level of said access consists of access limited by group member passcodes (where there exists registered user access); and a third level of said access consists of unrestricted access (where an unregistered user can read the message boards, but cannot participate in discussions).

As per claim 5, Realgm.com further teaches that input of information associated with content selection of at least one of the website structure instantiation and a group activity publication layout is facilitated through the first level of said access (page 5, where the moderators control certain discussions by locking them); and input of results associated with the group activity is facilitated through at least one of the first level of said access and the second level of said access (where the users participate in online discussions).

As per claim 6, Realgm.com further teaches that the website structure instantiation: is configured for enabling content selection functionality and activity publication creation functionality (page 1, under “new topic”); includes a plurality of system defined content fields and a plurality of user-specified content fields (page 2 and 3, where the use of text, picture insertion, and attaching files is allowed); and is configured for allowing controlled-access to each of a plurality of website structure access levels (where the moderator, user, and browser levels are allowed).

As per claim 7, Realgm.com teaches automatically updating said content of the website structure instantiation in response to corresponding portions of said information being altered, thereby enabling the website structure instantiation being dynamically maintained (where adding a new topic is reflected on the board).

As per claim 8, Realgm.com further teaches that said information includes an administrator dataset and a plurality of participant datasets (page 2-3); the administrator dataset includes administrator content for at least one of the group activity publication and the website structure instantiation and includes content parameters for at least one of a group activity publication and a website structure instantiation (page 2-3; where the administrators have the

right to ban users); each one of said participant datasets includes participant content for at least one of the group activity publication and the website structure instantiation (page 2); and creating the website structure instantiation includes populating a website template instantiation with respective portions of said participant content and said administrator content at least partially dependent upon said content parameters (where the topics added occur within the framework of the system).

As per claim 9, Realgm.com teaches creating a group activity publication layout including content fields corresponding to at least a portion of said information (page 1).

As per claim 10, Realgm.com further teaches that creating the group activity publication layout includes associating at least a portion of said publication layout content fields with respective portions of said information (page 1).

As per claim 11, Realgm.com further teaches that creating the group activity publication includes preparing a group activity publication layout, wherein the group activity publication layout includes system-defined content fields and optional content fields corresponding to user-selected publication content options (page 1).

As per claim 12, Realgm.com further teaches that creating the group activity publication layout includes: accessing group activity publication layout information in response to a user requesting creation of an activity publication, wherein said group activity publication layout information designates a plurality of textual content fields and a plurality of image content fields (page 1, 2); associating at least a portion of said textual content fields with respective content of the website structure instantiation (page 1); and associating each one of said image content fields

with a respective one of a plurality of image instantiations (page 2; where there exists the option to insert a picture).

As per claim 13, Realgm.com further teaches that creating the group activity publication layout includes: accessing group activity publication layout information corresponding to the group instantiation, wherein said group activity publication layout information includes a plurality of publication content fields (page 1); and associating each one of said publication content fields with a respective portion of said information (page 1).

Claims 14-26 are rejected under on the same bases as claims 1-13, as the instant claims disclose limitations similar to those of the earlier claims.

As per claim 27, Realgm.com teaches a group management website structure instantiation, comprising: a first access level through which group activity publication creation functionality is exclusively accessible (page 1, 3, illustrating the moderator's roles); a second access level including a plurality of respective content input fields, wherein a first portion of said content input fields of the second access level is system-defined and a second portion of said content input fields of the second access level is designated through access to the first access level (page 1); and a third access level including publicly accessible content, wherein information comprising said publicly accessible content is inputted exclusively though at least one of the first access level and the second access level (page 1).

As per claim 28, Realgm.com further teaches that said group activity publication functionality includes at least one of: designating publication content options, accessing a listing of active publication sections (page 1); designating a current creation status of a respective active publication section (page 1); designating a current print approval status of a respective active

publication section; and editing content of a respective active publication section (page 5, where the locking constitutes editing).

As per claim 29, Realgm.com further teaches that group communication functionality is initiated exclusively through the first access level (pages 3-4).

As per claim 30, Realgm.com further teaches that group activity participant website content is maintained partially through the second access level and partially through the first access level (page 1); and group administrator website content is maintained exclusively through the first access level (pages 3-5).

As per claim 31, Realgm.com further teaches that said group activity publication creation functionality includes functionality for designating content fields to be included in a corresponding group activity publication layout (page 1).

As per claim 32, Realgm.com further teaches that group administrator-specified content is inputted into respective content input fields through the first access level; and participant-specified content is inputted into respective content input fields through the second access level (page 1).

As per claim 33, Realgm.com teaches a computer-implemented method for facilitating group management functionality, comprising: accessing respective datasets of a plurality of members of a group participating in a group activity, wherein an administrator dataset includes content parameters for a group activity publication and for a website structure instantiation of the group, and wherein each one of a plurality of participant datasets includes participant content for at least one of the group activity publication and the website structure instantiation (pages 1-5); and populating a website template instantiation with portions of said participant content for

enabling creation of the website structure instantiation, wherein said populating is performed at least partially dependent upon said content parameters (pages 1-5).

As per claim 34, Realgm.com teaches populating the website template instantiation with portions of administrator specified content, wherein the administrator dataset includes said administrator specified content (page 5).

As per claim 35, Realgm.com teaches associating content fields of the website template instantiation with respective system-prescribed portions of said participant and administrator datasets, wherein said associating is performed prior to said populating (page 2, where the discussion is attributed to a certain user first, and then posted).

As per claim 36, Realgm.com teaches automatically updating said participant content in response to information in a respective one of said participant datasets and corresponding to said participant content being altered, thereby enabling the website structure instantiation being dynamically maintained (page 1, where replies in threads are updated).

Claims 37-40 are rejected under on the same bases as claims 33-36, as the instant claims disclose limitations similar to those of the earlier claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tanim Hossain whose telephone number is 571/272-3881. The examiner can normally be reached on 8:30 am - 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cardone can be reached on 571/272-3933. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Tanim Hossain
Patent Examiner
Art Unit 2145



JASON CARDONE
SUPERVISORY PATENT EXAMINER